

HOW·NI·KAN

PEOPLE OF THE FIRE



Vol. 14, No. 7

Citizen Band Potawatomi Tribe

July, 1992

Potawatomis awarded first gaming compact

Historic pact to bring in video lottery machines

By WAYNE TROTTER

The Citizen Band Potawatomi Tribe will install "video lottery machines" at its bingo hall on the south edge of Shawnee as a result of the first Class III gaming compact ever negotiated between the State of Oklahoma and an Indian tribe.

The compact, authorized by the federal Indian Gaming Regulatory Act, was signed last Friday by Gov. David Walters. It previously had been signed by John A. "Rocky" Barrett Jr., chairman of the 18,000-member tribe.

Electronic devices to be installed under the compact will be similar to but legally distinct from electronic slot machines. The tribe initially plans to put a hundred of the machines at the east end of its Tribal Bingo Hall, Barrett said.

He said profits from adding the machines will go to help support a number of tribal activities, including college scholarships, services to the elderly, health aids, police protection, and the tribal court system. Part of the profits, Barrett added, will go to help develop other recreational attractions in the Shawnee area and be used as "seed money" to develop other tribal enterprises.

"We think that we're going to be able to attract the players who presently leave the state with their gaming dollars," said Barrett, who has been chairman of the five-member tribal business committee since 1985.

"We also plan on expanding our recreational activities," he said, adding that the tribe is considering building a bowling alley and a hotel-motel complex.

"We believe that if we get the kind of support for our golf course and gaming center, we'll put in some form of lodging," he said.

Barrett, speculating that gaming is a "shortlived" revenue source for Indian tribes, said the tribe will plow some of the proceeds back into other activities which will help support it in the future. He noted that the Potawatomis already have a \$38 million annual economic impact on the Pottawatomie County area and own the vast majority of the stock in First Oklahoma Bank in Shawnee. In addition to the bank, Fire Lake Golf Course and the bingo hall, the tribe also operates a convenience store and a restaurant near its headquarters on Gordon Cooper Drive.

The compact, carefully worded so as not to violate the sovereignty of either the tribe or the state, marked a dramatic departure in relationships between the two parties. The Potawatomis and the Oklahoma Tax Commission have been at odds for years with tribe winning most federal court battles and one case going all the way to the United States Supreme Court. In that case, the high court issued a confusing decision which in effect said the state had a right but no legal way to collect taxes on cigarettes sold to non-Indians at the tribal store.

"I believe the reason that the state picked us for the first compact is because of the way we've conducted our business, the nationally recognized quality of our accounting system and the fact that we have not brought in outside interests to run our gaming operation," said Barrett. "Our tribal officers serve without pay and the revenue goes directly to benefit our tribal members."

David Qualls, director of gaming for the Potawatomis, said once the machines are installed, the tribe will immediately add about 30 new employees. He said it could take 60 to 90 days for the machines to be installed because while the compact is the most important step, several others remain. The tribe has to publish its intentions in the Federal Register and seek approval by the Secretary of the Interior, who already

Please turn to page 12



Citizen Band Potawatomi Tribal Chairman John A. Barrett Jr. helps officially open the 19th annual Potawatomi Pow Wow June 26 as he proudly carries the tribal flag in the Grand Entry. Pictures and stories about Potawatomi Days may be found on pages 6-11 and page 16.

TRIBAL TRACTS

Classes scheduled; cards, letters requested for Moeller, two tribal employees recognized by local newspaper

Classes set

Richard G. Benefield, Director of Social Services for the Absentee Shawnee Tribe in Shawnee, Oklahoma, said that the tribe is again offering college courses, and that Potawatomi people are welcome to enroll.

Benefield will each two (2) courses from St. Gregory's College, which will meet at the Absentee Shawnee Tribal Complex. The courses are for regular college credit.

They are:

1. DEVELOPMENTAL PSYCHOLOGY (3 Credit hours in Psychology), which will meet on Monday evening at 7 p.m.

2. GENERAL ANTHROPOLOGY (3 Credit hours in Sociology), will meet on Wednesday evening at 7 p.m.

The courses begin on August 24. People can enroll from Aug. 3-24. Benefield can be contacted in his office at the Absentee Shawnee Tribal Complex or phone him at (405) 275-4030. He has the enrollment forms.

Letters requested

Gladys Moeller, a tribal member who has long shared her knowledge of Potawatomi history and tradition with other tribal members through the HowNiKan and letters, is in failing health and has been placed in a nursing home, the tribe has learned.

Her family said that Gladys would enjoy receiving cards and letters from the many tribal members she has corresponded with over the years. Her address is Gladys Moeller, Cherokee Lodge Nursing Home, 700 Cherokee St., Oskaloosa, Kansas 66066.

Family reunited

Carlos of Hernandez of Kennewick, Washington, was reunited with all of his daughters during the Seattle regional council meeting recently. It was the first time in 36 years that they had all been together. Daughter Vickie lives in Kennewick, but daughter Carla lives in Connecticut and Robbin lives in Wisconsin.

Employees recognized

Two tribal employees were recognized recently in The Shawnee News-Star's "Frankly Speaking" column written by Franklin Talley.

Kathy Kimler, an employee of Fire Lake Restaurant, was cited as "Waitress of the Week" June 4 by Talley, who said "She's one who makes dining out a pleasure."

Talley gave his "Employee of the Week" award on June 11 to Sharon Collin, a clerk at the Potawatomi Tribal Store on Gordon Cooper Drive. "She made sure a gasoline credit card, which was inadvertently left there, was returned to the rightful owner," Talley said. "Sharon is always very courteous to all customers. May there be more like her."

Donations

LaVone Dille, NE-\$10
L. Juanita Stone, CA-\$15
Rosie Ruffinen, CA-\$5
F.A. Smith, TX-\$15
Mr. and Mrs. J.M. Hyden, OK-\$10
Anna F. Bahner, KS-\$10
W.V. Battese, OK-\$40
Janice M. Mattsson, CA-\$25



Work Exhibited

Several large scripture paintings were recently on exhibit at Kimballwood Mansion in Brookfield, Massachusetts by tribal member and artist Julia Sousa Fullam. Ms. Fullam is a Brookfield native and studied at Paier Art School in New Haven, Conn. in the 1960's. After leaving the area for New York, she returned to the Brookfield area to raise her two children, Scott and Julie Ann Fullam. Ms. Fullam continues to do commercial art work for local businesses. The painting on exhibition are reminiscent of illuminated manuscripts done in monasteries during the Middle Ages in Europe.

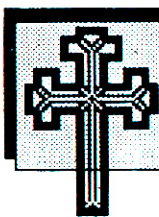
Chaplain shares wisdom of tribal elder with readers

This year the Potawatomi Pow Wow was the best ever. Due to rainfall, the church service was held in the Old Mission instead of under the tent on the pow wow grounds. Over one hundred people, Potawatomi as well as other tribes and visitors, attended the morning service.

At 10 a.m. Chairman Rocky Barrett and I gave traditional talks to the congregation. My thanks to Mr. Barrett for his presentation, and for his true concern for the revitalization of the traditional aspects of our lives.

What we must all understand is the fact that when we follow such ways, we are accepting the spiritual responsibilities that come with them. Now that is a serious undertaking, but we have little choice if we are to take up the spiritual challenge of our heritage. We either take it with utmost gravity, or we play with it and end up casting it to the winds like so much dust in the hands of a child. I pray that we all closely examine our responsibilities and recommit ourselves to them.

If we take time to know those who are active in the traditional and cultural ways of their respective tribes, we will see first hand that the Indian life, the real true Indian ways, are not easy. They are full of life and joy, and



A message from the chaplain...

by Rev. Norman W. Kiker

because we are human, they are sometimes filled with pain and sorrow. True Indian ways are filled with respect for others, and with family to surround us in the rough times. Now, that is worth pursuing.

At 10:30, after the traditional talks, the worship service began. My special thanks to the all-Indian team of clergymen from the Episcopal Diocese of Oklahoma for coming here each year to celebrate and serve at this special Communion Service held at the Pow Wow Grounds. Rev. Jim Knowles and Father Barney Jackson are Cherokee, and Father Smith and I are Citizen Band Potawatomi.

Last but not least a special thank you to my lifelong friend Mr. Ellis Rolette for delivering the sermon during the worship service. The theme of the sermon was the many Indian prophecies that the Indian people can and will revive spiritually. Not that we will come back in a military victory, but through our respect for all God's Creation, and through our spiritual under-

standing of the relatedness of human beings and Mother Earth, we can be a beacon for not only the Indian world, but also for the non-Indian world we are a part of.

I would like to end this article with some good advice that an old Forest Band Potawatomi sent through the mail to his adopted daughter over 30 years ago. This man, whose Indian name was Lone Eagle, died in 1956; if he were living today he would be in his 90's. He was well versed in the things that were common to the Potawatomi and other Central Algonquin tribes, and he sent his daughter many letters filled with their wisdom. She has given me permission to use some of the letters in future issues of the HowNiKan. For those who are searching for a little deeper understanding of the teachings of our old people, we offer these letters in order to assist those who have ears to hear.

Jan. 12, 1955

Sometimes I wonder if you would not like to know some of the old Mide teachings, so I'm going to write out

some of them such as ...

When the village is set up keep the opening of the circle to the east (Kitchie) and the door of each Lodge to the Kitchie Wee-Kon-Da-Wid (land of Mystery or the Sunrise Land).

The Women of the lodge shall keep the fire.

Never break a marrow bone within the lodge.

Speak softly where old people or strangers might hear you.

Never speak until it is your duty.

Let older people enter or leave the lodge first. Never let them stand while you sit.

Remember to have a green bough in your hand when you talk in council so you will speak living words.

Never speak among older people unless they ask you.

Listen in council to every man's words as though he were very wise.

Never walk between two people talking.

Never walk between the fire and anyone.

Follow the customs of the owner while in another lodge.

In your own lodge always give a visitor the best place.

Feed the visitor if you go hungry yourself.

If your visitor does not eat, say nothing. You do not know what his vow is.

Be sure that the smell of your own lodge is a pleasant smell to you.

Every village must have its Gel-Ge-Mock (its Medicine Lodge or Holy Place) to make medicine, to dance the Dance and to smoke the Smoke.

Every man should have his own Gel-Ge-Mock (Holy Place) where he sits alone from time to time to hear the Voices.

It is every man's duty to fight off or to kill any wild animal or person that tries to harm his wife, children or other relation.

Fear of death can never come into your heart if you live right.

Nlsh-Ah-Shin Waubunum (on a good morning, or when the sun comes up) wash with cold water, make a fire and put a little meat in the fire so that the Great Spirit may eat with you. Always keep an eagle feather in your lodge. Remember the great sickness. (Note: Next month's letter will explain about the great sickness and the eagle.)

Never judge a man till you have walked three moons in his moccasins.

Do not fear Tee-Quosh Shee-Quah (the Black Thunder) for he will not strike you with a lightning arrow unless you have followed the trail of Ma-Toe-Tah-Koke-Aid (the evil spirits).

This last one brings out the belief in a reward or punishment in this life rather than in a life beyond the grave, which is the big difference between the Mide and the Christian teaching. Otherwise they are much alike in a great many ways.



In your opinion ...

Looking for picture of great-grandfather

Editor, HowNiKan

I received a letter years ago from a Dora Schoeman who said that a 12x14 picture existed of my great-great-grandfather Patrick Be(e)han. He was married to Alexandrina Burtrand (they had three daughters Mary, Margaret and Elizabeth Behan Dimler). She also said that there was one of him by the well holding a bucket. And it was possible that Mary (Behan) Schoenman Sullivan's family might have them. I would like copies (I know they would not give up the originals) and I would pay to have the negatives made, and copies made.

I do not have Mary Schoenman's address and it would be helpful if you could publish this request.

Aloha,

Sharene Dimler Matsumoto
P.O. Box 818
Pepeekeo, Hawaii 96783
808-964-583

An update on the Burnetts

Editor, HowNiKan

"About the Burnetts" —

I would like to take this opportunity to push some happy news in the HowNiKan paper.

We were all born in Wichita Kansas. My brother and sisters were all broken up by a unhappy marriage. My brother Gene Burnett, my sister Karen Slates, myself Janice Mattsson and my mother Phyllis Burnett are now all living in California. We have finally welcomed back in our family a sister, Barbara Bowers, that was adopted by my Uncle Abram Burnett. We would just like to tell her how much we love her and how much we are happy about her coming back into our

lives. Welcome back, Barbara.

We also have a sister Kathy Hawk, that was also adopted, but we now have her back in our lives again too. She is now living in Georgia. Thanks to the Great Spirit ...

Thank you very much,

Janice Marie Mattsson
California

Tribe shows lack of social conscience

Editor, HowNiKan

The tribe has made much progress in the last few years in managing its affairs and providing services to its members. However, it shows an enormous lack of social consciousness and thoughtfulness in some of its policies.

Two such misguided policies stand out. The first is that of the sale of tobacco products. With all the medical information now available as to the health risks of smoking and the strides made in other states and areas it is unconscionable that the Tribe promotes the sale of such products to its members and to others.

The second is the policy of providing gambling. I have no problem with people gambling if they wish. However, for the tribe to promote this is another matter. Gambling is a tax on the poor, and raising money by this means (as with the sale of tobacco) is the height of prostitution.

We should examine our policies with an eye not just toward making money but toward the results of tribal policies.

Sincerely,

George M. Jenks
202 N. 2nd St.
Lewisburg PA, 17837

Senior lady wants companion at home

Editor, HowNiKan,

Senior lady would like lady companion, non-drinking or smoking, to share my 2 bedroom home and car. Must like pets. Must have good references. I need a person to share expenses, small household, and yard work. Have current drivers license. Information exchanged.

It is time seniors start making plans for the future if they desire to stay out of nursing homes by learning to care and share with others. For information and application, please call Gladys (303) 936-6838.

Yours Truly,

Gladys Small
Denver, CO 80219

Cherokee group opposes tax compact

Editor, HowNiKan

I wanted to write and let the Potawatomi people know that members of the Cherokee tribe are embarrassed by the recent signing of a tax compact by our Chief and Council.

We are in the process of exercising our tribal constitutional rights to a referendum vote and are circulating a petition to place the compact on our next ballot in 1995 or a special election. We are a grass roots group with little resources, but we will fight this invasion of our sovereignty and sell out by our leaders as long as it takes. I know we have the support of most of the Indian people in this state and the leaders of the Cherokee, Choctaw, Chickasaw and Seminole tribes constitute only a handful of anti-sovereignty conspirators. Isn't that how the state and federal governments have always worked? In the past,

our people could put to death leaders who have done what ours have. Today we offer them a more civilized alternative, death at the polls.

Our Chief, Wilma P. Mankiller, has attempted to discredit our movement by calling us, thought police, guerillas and throwing up smoke-screens to divert the issues. Our tribal government has created a news blackout in our tribal paper, The Cherokee Advocate, which is edited by a white woman. Over the past few months since the Potawatomi decision, little has been written in our press which would give the Cherokees enough information to even discuss the issues. I read your paper to get facts on Indian Country.

Thank you for protecting the rights of all Indian people, your tribal members should be proud. When we are through with this fight, the Indian people will be able to look at the Cherokees once again and say there is a proud Nation whose people stood strong against the tyranny of the state of Oklahoma and its puppets in tribal office.

Sincerely,

David A. Cornsilk
Tahlequah, OK 74464

Prisoner wants to find pen pal

Editor, HowNiKan:

I would like to correspond with a pen pal. I'm serving some time right now in Oklahoma prison and I would appreciate any correspondence from anyone. Your time and attention to this matter is very much appreciated.

Jerry McManus 135292
P.O. Box 598
Lexington, OK 73051

Bethel golf team thanks Fire Lake

To: Mike Wood and Firelake:

We would like to express our appreciation to you and the entire Fire Lake staff for your help and cooperation in making our 1992 golf season very successful. We would literally not have a golf program at Bethel High School if it weren't for you and the management of Fire Lake.

We began a small golf program in 1990 and have had individuals or the entire team competing at the State Tournament level every year. This would not be possible without your cooperation. This year we hosted our own high school tournament which helped pay for our team shirts. We were also asked by the O.S.S.A.A. to host a regional tournament at Fire Lake. Hopefully, we will have those tournaments again next year.

Due to the commitment of you, the staff, and the management of Fire Lake, your golf course is truly becoming one of the finest in the state. Its reputation is beginning to grow! The golf coaches across the state are excited about their kids getting to play on such a fine course. They could not have been more complimentary about the conditions of the course during the two tournaments we hosted there.

The management and staff at Fire Lake are to be commended not only for their every day contribution to golf in our area, but also for their commitment to our youth.

Steve Carpenter
Activities Director
Bethel High School Athletics
Shawnee, Oklahoma

Tribal artist honored

Artist Brenda Kennedy Grummer, an enrolled member of the Citizen Band Potawatomi Tribe, won the \$1,000 Best of Category in Oil award at the recent Red Earth National Art Competition in Oklahoma City.

"Weekend in June," a \$4,800 painting of the Potawatomi Pow Wow at Shawnee, was purchased by Dr. Pat Lester, Tulsa radiologist and art author.

Grummer also took the second place \$500 prize in the same category for "To Welcome Him Home," a portrait of a young Native American woman holding a flag. The

painting was done to honor families of American veterans. A signed, limited-edition of 400 prints was released for the first time at the Red Earth Festival. The original \$2,500 painting was purchased by Ken Garriott, Oklahoma City.

The artist is currently being featured in the new 1993 edition of Indian Images art calendar, as well as a line of notecards by the same publisher. A Christmas card will soon be printed bearing Grummer's painting of cattle on a snow-covered Oklahoma hillside, which won Best of Category in oil landscape at the 1991 Gallup Inter-Tribal

Ceremonial.

The Yukon woman is one of a select group of Oklahoma artists invited to participate in an exhibit in Rennes, France, this October. The show is a joint effort by the Franco-American Union and Indian Territory Gallery, Sapulpa.

A gala preview of the exhibit, which commemorates the 500th anniversary of Columbus' arrival in the new world, is being hosted by Sen. and Mrs. David Boren on August 1. Tickets may be purchased from the gallery at 1030 E. Taft, Sapulpa, Ok., 74066, (918) 227-2050.



REGIONAL OFFICE REPORTS



Oregon regional council float places second in holiday parade

OREGON

Bourzho from Oregon!

What a wonderful Pow Wow at Shawnee. I was privileged to attend the council meeting at Shawnee and the Pow Wow. I ate some wonderful meals at the Fire Lake restaurant, and met a lot of wonderful people, your people and mine. I wish you could have all been there with me.

On July 4th, our Oregon Regional Office had a float in the St. Paul Rodeo Parade, with a few of the local Potawatomi children. The theme of our float was "Grandfather Tell Us A Story." The story I told was in the Indian time period A.C.(After Custer). We took second place!

It also advertised our plans for our first annual Oregon Potawatomi Pow Wow on Aug. 29th,

which is well under way. I have had some members come forth to volunteer, but we still need more help. If you feel you can help us out on this day, call me at (503) 792-3744 or 792-3420. The more volunteers we have will mean each of us can have more time to enjoy the festivities. Hope you are all planning on attending.

Our regional office has now changed to 525 Ivy Ave. Box 346 in Gervais, Or. 97026. I also have a new phone number, (503) 792-3744. Please make a note of it so you will have it for future needs. While in Shawnee, I learned alot more about the opportunities available to the Indian people. If I can help any of you please call me.

Rocky Baptiste

DALLAS/FORT WORTH

Bourzho!

I wish to notify you of the fact that our office location and telephone number has changed. We will be sending out a letter to each of you explaining the reason for the change in the near future. Our new telephone number is (214) 255-1641 (listed in information as Potawatomi Tribal Office); as always, your questions and suggestions are most welcome.

The tribal office location and telephone isn't all that is changing this year. The time has come to begin the planning and preparation of our Regional Meeting in the Dallas/Ft. Worth metroplex. This year, we, the Texas Tribal Members, will "set the stage" for our gathering and invite the

Business Committee and any other guests we wish to include. With this concept in mind, I'm asking for ideas from you as to what "flavor" you want your Regional Meeting. Feedback on metroplex locations (consider outdoor locations), date, time, entertainment, activities will all be considered. Call the new number listed above and offer your suggestions to myself or a brief message on our answering machine will be counted as a vote.

I truly need your help so that I may attempt to organize a more culturally oriented, a more memorable gathering for the People of the Place of the Fire.

Megwetch.

Kim Anderson

CALIFORNIA

As most of you already know, there have been substantial changes in the regional offices, not the least of which are all-new telephone numbers. We're working on making these calls toll free to you, but for now, here's the new telephone numbers where you can reach your Regional Representatives. Feel free to give them a call; even if only to say "bourzho!"

Portland:
Rocky Baptiste — (503) 792-3744
Dallas:
Kim Anderson — (214) 255-1641
Denver:
Norma Whitley — (303) 861-1140
Los Angeles:
Jeremy Finch — (818) 796-2008
Jeremy Finch

Denver hosts first picnic

Our first annual Potawatomi Picnic in the Park was held June 7 at Congress Park. For those of you that came, thank you. It was a fun day and it was so nice to meet all of you.

For those that didn't come, you missed a lot of fun, but if you would like, maybe we can do it again in the fall.

Some of our members brought pictures and art work to share and we were all busy trying to figure out how we were related to one another. The children enjoyed the adjacent playground and the adults enjoyed the shade of the picnic shelter. If you want to do it again, just let me know.

Effective July 1st, we have a new phone number (303) 861-1140. Please feel free to call at any time.

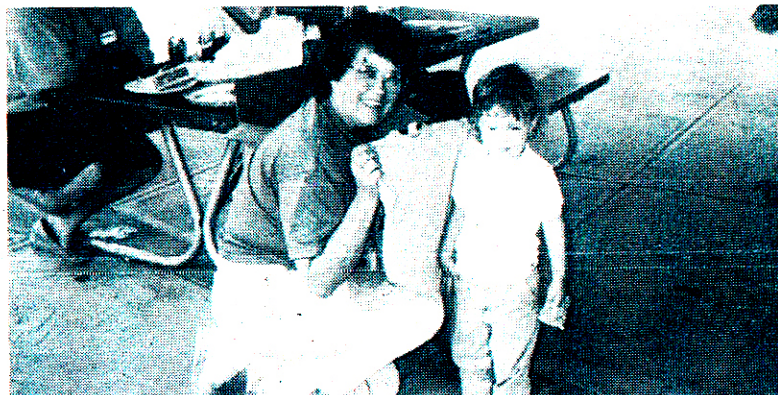
Norma Whitley



Gladys Small — Wisest Woman



Wilbur Luthye — Wisest Man



Keegan Smith — Youngest



Kevin & Elizabeth Smith — Farthest

Walking On

Clyde Bert Hitt

Clyde Bert "C.B." Hitt Jr., 69, Shawnee, died Tuesday, June 16, 1992, at his home.

Services were held Thursday, June 18, at the Wesley United Methodist Church, with Bruce Brotherton, pastor, officiating. Burial followed at Resthaven Memorial Park. Services were under the direction of Roesch Funeral Chapel.

Hitt was born Sept. 9, 1922, at Wanette and moved to Shawnee with his parents in 1923. He graduated from Shawnee High School and attended Oklahoma Baptist University. He served in the U.S. Navy in the South Pacific.

On Aug. 1, 1943, he married Betty Rubison in Shawnee.

Hitt was a member of the Wesley United Methodist Church, a member of United Methodist Men, chairman of the Board of Trustees, as well as serving on several other church committees. He was also a member and former tribal official of the Citizen Band Potawatomi Tribe and Veterans of Foreign Wars.

Survivors are his wife, Betty, of the home; son and daughter-in-law, Ron and Brenda Hitt; granddaughter, Ronni Blake Hitt; sister and brother-in-law, Dorothy and J.W. Strickland, all of Shawnee; brother-in-law and wife, J.R. "Bob" and Verneice Rubison, Amarillo, Texas; three nieces, Carolyn Minnick Yeager, Linda Strickland Underwood and Debbie Strickland Payne; and several aunts, uncles and cousins.

Orvil Wisdom

Orvil Wisdom was born in Norman, Oklahoma, Nov. 1, 1926, and died May 19, 1992 in Lodi, California.

His family, being hard working farmers, moved to California when Orvil was just 14 years old. They stopped in the rich San Joaquin valley and Orvil went to school in Galt.

After school, he went in the Army. There he stayed for six years. He met and married Juanita, his wife for forty-three and a half years. Together they had four sons, all living in California.

Orvil spent his life as a rancher, working for the Steward Ranch for 25 years. He was also the longest active board member of his church. All who knew him, loved him, he was a man of God and a proud Potawatomi.

Submitted by Richard K. Wiles

William E. Lehman

William E. Lehman I passed away at the age of 74 on June 22, 1992, at Miami Co. Hospital, Paola Ks. after a sudden massive heart attack.

Ed and his family have lived in the Fontana area for the past 21 years.

Ed was born to George Lehman and Belle Bruno at Sacred Heart, Ok. on Oct. 2, 1917.

He leaves behind his wife Geraldine of 47 years, one sister Grace Stines, and a brother George; his son, Eddie II, granddaughter Amber of Laverne, Ks., and 6 step-grandchildren.

Interment was in the family plot of La Cygne Cemetery, La Cygne, Kansas.



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		Book - Grandfather Tell Me A Story		11.00	
		Seal Key Chains		4.00	
		People of the Fire Playing Cards		5.00	
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		Suede Address Book with Small Seal		4.00	
		Suede Photo Album		4.00	
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Jim Denton
Accountant



Murlin Derebery
Bank President



Michael Minnis
Tribal Attorney



Lou Haskew honored Chairman John A. Barrett with the surprise presentation of a portrait of him she painted from photographs.



Susan Campbell of Seattle, Wahsington, won the prize for travelling farthest to attend the meeting.



Hollis Stubenthal was the youngest tribal member present — perhaps ever — having been enrolled only that morning.



Fannie Long, 87, was again the wisest — eldest — tribal member present for the council meeting.

Glowing reports presented to tribe at 1992 General Council meeting

By GLORIA TROTTER

Tribal enterprises received glowing reports and a new direction in regional representation highlighted the General Council of the Citizen Band Potawatomi Tribe June 27 at tribal headquarters.

Chairman John A. Barrett Jr. called the council to order at 3 p.m., telling those assembled that the tribe now numbers almost 18,900. He recognized Jeremy Finch, new regional coordinator, and told the group that the "regional council concept is one of the most important things we've undertaken ... we hope eventually they will have political autonomy and elect representatives to the Business Committee."

Jim Denton of the tribe's accounting firm reported that the tribe is "virtually debt free" and said it "operates very efficiently and very profitably." He praised the work of the tribal accounting director, Carolyn Sullivan, and her staff. Denton reviewed the audit for the previous year and told the group that the tribe has \$2 million in cash assets, \$6 million in trust and \$4 million in fixed assets.

Murlin Derebery, president of First Oklahoma Bank, made his first report to the tribe since taking the reins. "I can't ask for anyone to be more supportive than the directors have been," he said. "We have about all the business we can take care of in the little building we're in ... we have every opportunity to be the leading bank in Shawnee." He added that he wanted to "congratulate the tribe ... it's the only one I've ever seen where you could look at the financial statement and see exactly what's

going on."

Barrett noted that the bank has had \$5 million in asset growth since the tribe bought it — "it has made the turn on profitability," he said, noting it has the best capital ratio "of any bank in town."

Tribal attorney Michael Minnis updated the council on litigation, most of which is against the State of Oklahoma on various sovereignty issues. "The state figures they can outlast the tribe if they just keep litigating," he said. He noted that in a couple of decisions, Oklahoma courts have "recognized the finality of tribal court." In response to a question about why other tribes entered into a compact with the state on cigarette sales, Minnis said the action "may come back to haunt these tribes. There's not a single thing coming to these tribes in return for the money they're sending them (the state)."

Commenting on the action of the Five Civilized Tribes in entering into the tobacco compacts, Barrett said it "really hurts for us to spend time and money fighting for sovereignty and then see others chip away at it." He noted that the tribe was about to sign the state's first gaming compact, but added that "the Business Committee firmly believes gaming and cigarettes are not what you hitch your wagon to — that's short term. When we can't do it any longer, we'll have a firm business foundation in place."

The Election Commission reported that all questions passed and all judges were re-elected. Vote totals are presented in full in the chart at right.

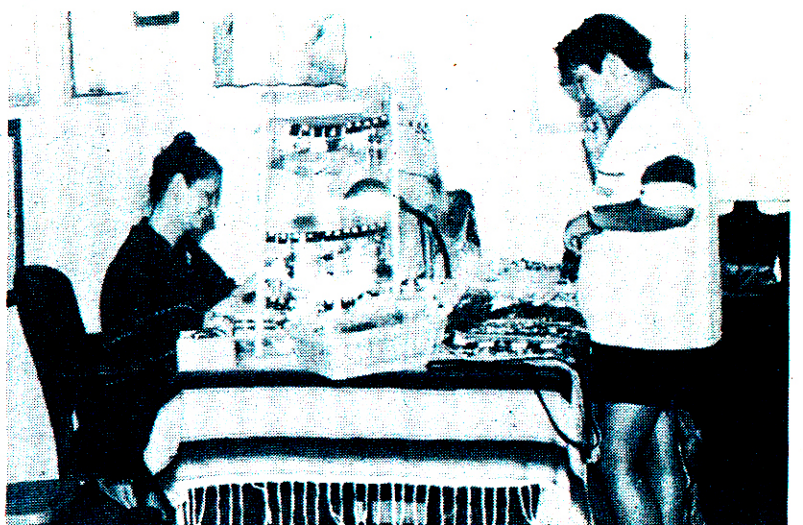
ELECTION ABSTRACT POTAWATOMI TRIBAL ELECTION JUNE 27, 1992			
Committeeman #1	Jerry P. Motley	Elected Unopposed	
Votes	Absentee	Live	
Yes	292	87	
No	74	22	
Total	Yes 379	Total No 96	
Proposition I (Pertaining to Budget)			
Votes	Absentee	Live	
Yes	316	89	
No	54	20	
Total	Yes 405	Total No 74	
Proposition II (Pertaining to Per Capita)			
Votes	Absentee	Live	
Yes	284	82	
No	84	26	
Total	Yes 366	Total No 110	
Chief Judge Phillip D. Lujan			
Votes	Absentee	Live	
Yes	314	93	
No	24	10	
Total	Yes 407	Total No 34	
Judges			
1. Gregory H. Bigler			
Votes	Absentee	Live	
Yes	264	77	
No	42	16	
Total	Yes 341	Total No 58	
2. Stephen Lamirand			
Votes	Absentee	Live	
Yes	265	79	
No	35	14	
Total	Yes 344	Total No 49	
Chief Justice - G. William Rice			
Votes	Absentee	Live	
Yes	322	84	
No	14	15	
Total	Yes 406	Total No 29	
Justices			
1. Truman Carter			
Votes	Absentee	Live	
Yes	236	74	
No	63	17	
2. Linda Epperly			
Votes	Absentee	Live	
Yes	284	76	
No	34	14	
Total	Yes 360	Total No 48	
3. Almon Henson			
Votes	Absentee	Live	
Yes	229	67	
No	72	19	
Total	Yes 296	Total No 91	
4. F. Browning Pipestem			
Votes	Absentee	Live	
Yes	268	70	
No	38	18	
Total	Yes 338	Total No 56	
Judges			
5. Rex Thompson			
Votes	Absentee	Live	
Yes	231	68	
No	67	17	
Total	Yes 299	Total No 84	
6. Lawrence Wahpepah			
Votes	Absentee	Live	
Yes	285	74	
No	26	15	
Total	Yes 359	Total No 41	
Total Ballots Printed	Absentee 1000	Live 500	
Total Ballots Used	Absentee 550	Live 110	
Total Ballots Unused	Absentee 450	Live 390	
Total Ballots Rejected	Absentee 5	Live 2	
Signed:			
Don Yott, Chairman			
Gary Bourbonnais, Vice Chairman			
Esther Lowden, Secretary			
David Bourbonnais, Member			
Norman W. Kiker, Member			

POTAWATOMI DAYS

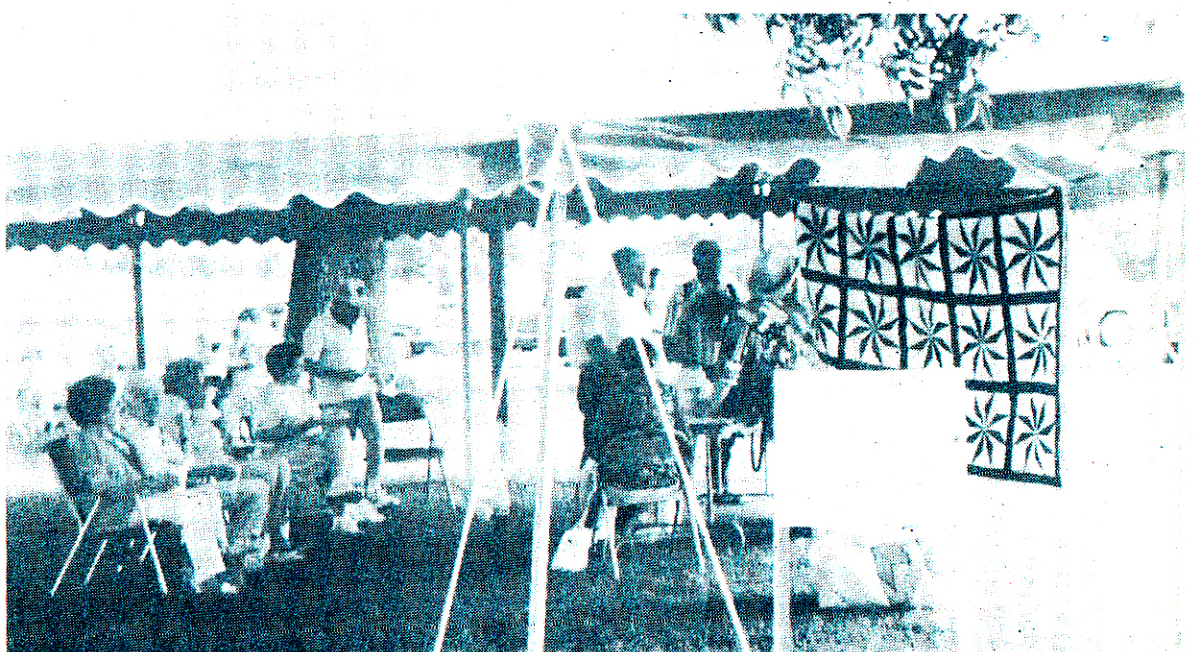
The staff of tribal Health Services spent most of Saturday conducting free health screenings for all interested tribal members. Among the services they offered were blood pressure readings, cholesterol level checks, and triglyceride level checks. Health Services Director Joyce Abel reported later in the day that a total of 83 people were screened.



The tribal museum and gift shop was crowded throughout the weekend with visiting tribal members. Peggy Lowe, right, Potawatomi bead artist, demonstrated her talent and wares in the art gallery while shoppers kept the gift shop staff busy.



Tribal employees served up a bountiful dinner of Indian tacos and other goodies before the pow wow on Saturday night. A big crowd enjoyed the free meal.



This large tent provided shelter from the sun during the pow wow for any interested tribal members, especially elders. It also served as headquarters for a group of senior tribal members who were raffling off a quilt.



This sculpture by Potawatomi artist Denny Haskew was Grand Prize winner at the Red Earth Festival art competition in June. Haskew brought the large sculpture, titled "Strength of the Maker," to Shawnee for Potawatomi Days.

POTAWATOMI DAYS



The Grand Entry Was A Colorful Sight As Hundreds Marched While Thousands Watched



Kids Just Don't Come Much Cuter Than This



The Jingle Girl: Music Wherever She Goes!

WHAT A POW WOW!



A Master Drummer At Work



Fancy Dancers Were The Order Of The Pow Wow



Lots Of Refreshments Were Available



The Business Committee Led The Way Onto The Pow Wow Grounds



Cloth Dresses All In A Row

POTAWATOMI DAYS



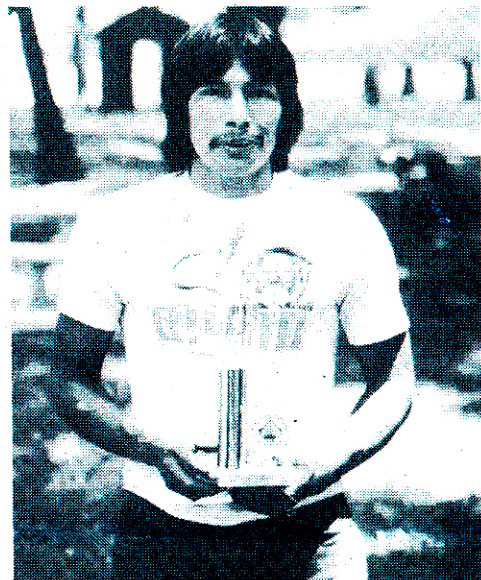
The "Potawatomi Two-Step" was introduced at this year's pow wow, and many couples enjoyed figuring out how to do the popular country-western step to the beat of the traditional dance drum, as the photo above shows. At right, This father-son team paraded in almost matching regalia for the Grand Entry.



This young man gave a demonstration of his specialty, hoop dancing, to the delight of the crowd.



Blackbird Drum, pictured above, was one of five drums who came from across the country to play during the Potawatomi Pow Wow.



The annual horseshoe competition saw some perennial favorites contending for the prizes, along with some new faces. Finishing first was 72-year-old Hubert Spaulding, far left. Second was newcomer Sampson Lewis, center, and finishing third was Fire Lake golf pro Mike Wood, right. Tony Levier earned honorable mention. Fourteen players, including a few tribal officials, competed.

POTAWATOMI DAYS



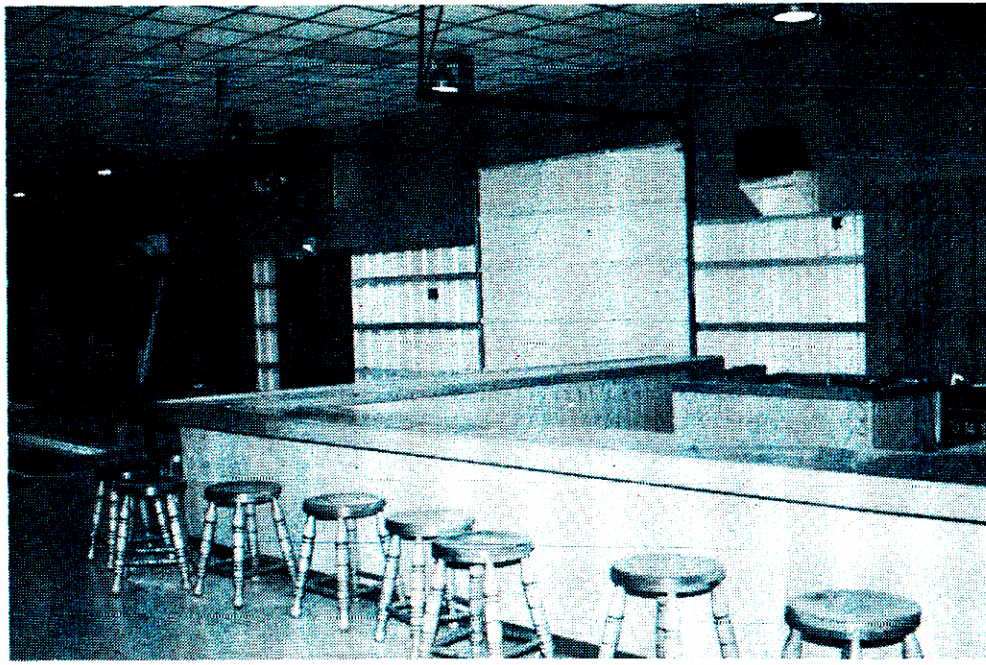
Tiny Tots Are Terrific!

More than 70 very small dancers filled the pow wow ring Friday night for the first time ever Tiny Tots competition. The judges, however, were unable to bring themselves to select winners from among the delightful children, so Chairman John A. Barrett Jr. presented each little dancer with \$5. As these photos show, the children had a great time in the ring. (All photos by HowNiKan editor Gloria Trotter.)





Business Committee Conducts Press Conference At Bingo Hall After Announcement That Governor Has Signed Compact



Remodeling Of East End Of Bingo Hall To Accomodate New Machines Is Well Underway

Remodeling underway to prepare for new machines

Continued from page 1

has approved similar pacts between tribes and the states of Wisconsin, Minnesota, Connecticut, Wyoming, North Dakota and South Dakota.

"The major hurdle as far as the tribe is concerned is over when the compact is signed with the state," said Qualls, who negotiated the agreement along with Tribal Administrator Bob Davis, also a member of the business committee. The negotiator for the state was Robert A. Nance, an Oklahoma City attorney appointed by Gov. Walters.

The compact begins by recognizing the sovereignty of both parties and acknowledges that the tribe has "the exclusive right to regulate gaming activities" in its territory provided that activity isn't specifically prohibited by federal law or state criminal law. Then it gives the state the right to monitor the approved games both by electronic means and inspections during normal business hours. It provides, however, that any on-site inspections "shall not be conducted in a manner that disrupts normal business operations and shall be conducted by agents who maintain the highest security clearance available within the Oklahoma State Bureau of Investigation." Only OSBI agents will be allowed to monitor the operations and the tribe will pay the state \$10,000 a year to offset the cost of monitoring.

The tribe also agreed to send the state a copy of the annual audit conducted by an independent certified public accountant and to publish a summary of how the general revenues are spent annually in the tribal newspaper. The tribe has done that for years.

The tribe also will be required to run a background investigation on prospective employees and agreed not to hire anyone in the gaming operation who has been convicted

of a felony or has "prior activities, criminal record, if any, reputation, habits and associations that pose a threat to the public interest or to the effective regulation of gaming" or who would "enhance the danger of unsuitable, unfair or illegal" practices. Copies of the investigation will be furnished to the state which will have 30 days to object. However, the tribe may add the individual as a temporary employee pending state approval or acquiescence.

The tribe also agreed not to extend credit (although it can cash checks and honor bank cards), not to allow anyone below 18 to play, not to allow gaming employees to play and to publish and make available either by prominently posting or producing in pamphlet form summaries of the rules of each game, the method of play, betting limits and odds.

The tribe and state sidestepped a potentially divisive issue concerning whether the electronic lottery machines violate the Johnson Act, which is older than the Indian Gaming Regulatory Act. The compact recognizes objections from some federal attorneys and makes it incumbent on the tribe to either obtain a declaratory judgment or get the written assurance of the United States attorney for the Western District of Oklahoma. The tribe agreed not to import the machines into its territory until the state can be provided with written assurances that bringing the machines in won't violate the Johnson Act. Both the state and the tribe agree in the compact that in their opinions, the machines are proper under the Indian Gaming Regulatory Act, although the tribe also agreed to hold the state harmless from any liability arising from importing the machines.

Tribe to appeal federal appeals court ruling on beer license

(From *The Daily Oklahoman*, June 21, 1992) — An Oklahoma City attorney said Monday an Indian tribe he represents would likely ask for a rehearing on a federal appeals court ruling which said state governments have authority to regulate sale of alcoholic beverages on Indian lands.

Attorney Michael Minnis said he believes the 10th U.S. Circuit Court of Appeals erred when it ruled the state could require the Citizen-Band Potawatomi Tribe to have a license to sell beer at its Shawnee convenience store and golf course.

The ruling by the 10th Circuit Court of Appeals is "a tremendous change, a bad change, in Indian law," said Minnis, who specializes in law pertaining to Indians and represents several tribes.

The decision was in a case between the Citizen-Band Potawatomi and the Oklahoma Tax Commission.

The state commission contended the tribe could not sell 3.2 beer without a license from the commission.

The ruling, which upheld the commission's contention, was much broader, however.

State governments may regulate the sale of any alcoholic beverage on Indian lands by any Indian tribe, the Denver appeals court said.

"States may exercise concurrent jurisdiction with Indian tribes over the regula-

tion and licensing of liquor transactions on Indian lands," appellate judges said.

Giving states such authority is "a tremendous invasion of (Indian) sovereign immunity," Minnis said.

Thursday's ruling said Indian sovereign immunity does not apply to beer and liquor sales.

Under the ruling, states now "have territorial jurisdiction" on Indian lands, Minnis said. "They can order state troops onto Indian land. That's never been allowed."

The ruling says Oklahoma district

courts, whose clerks issue 3.2 beer permits, have jurisdiction on alcoholic beverages on Indian land, "State courts have had no jurisdiction in Indian land," Minnis said.

"This decision is just one more case where the federal government has reneged on its promise (of sovereign immunity) to tribes," he added.

The commission "wanted to harass the tribe," Minnis alleged, because the tribe had been in another court battle with the commission to prevent it from taxing the

tribe's sale of cigarettes.

"They've been after the Potawatomi for some time on the cigarette (tax) deal," Minnis said.

Thursday's ruling overturned an injunction against the tax commission the tribe obtained from U.S. District Court Judge Lee West in Oklahoma City.

The tribe sued the commission in 1990, alleging it was interfering with the tribe's beer sales. West ordered the commission not to interfere, and the commission appealed last year.

Tribe wins again in appeals court on cigarettes

(AP story in *The Shawnee News-Star*, July 16, 1992) — A federal appeals court has refused to interpret a recent U.S. Supreme Court ruling on smokeshop taxes the way the Oklahoma Tax Commission wanted it to.

The tax commission is not entitled to federal court help forcing tribes to collect state taxes on cigarettes sold to non-tribal members, the 10th Circuit Court of Appeals said Tuesday, acting on a Supreme Court ruling in the same case against the Citizen-Band Potawatomi.

The Daily Oklahoman reported the Denver court's decision in Wednesday's editions.

The Supreme Court said last year that

Oklahoma cannot sue federal lawsuits to make the Potawatomi collect the tax because the tribe has sovereign immunity from state lawsuits.

U.S. District Judge Lee West in Oklahoma followed the Supreme Court ruling with a ruling that did not require the tribe to collect the tax.

The state appealed to the 10th Circuit, claiming West's order did not comply with the Supreme Court ruling. The appeals court rejected the state's interpretation.

"The Supreme Court's opinion does not permit the tax commission to enforce the tribe's legal obligation through the federal courts," the appeals court judges said.

Last year's Supreme Court ruling created confusion because while it upheld the tax commission's contention the tribe must collect the tax, it limited the state's ability to force the tribe to comply.

"The state has a right to collect that tax if the state can come up with a way to do it," said attorney David McCullough of Oklahoma City, who represented the tribe in the tax commission's appeal.

The Supreme Court suggested the commission could try to collect the tax from firms that sell cigarettes wholesale to the tribe, could enter into a compact with the tribe for collection of the tax, or could sue agents or officers of the tribe for damages if the tribe fails to collect the tax.

Seattle Regional Council

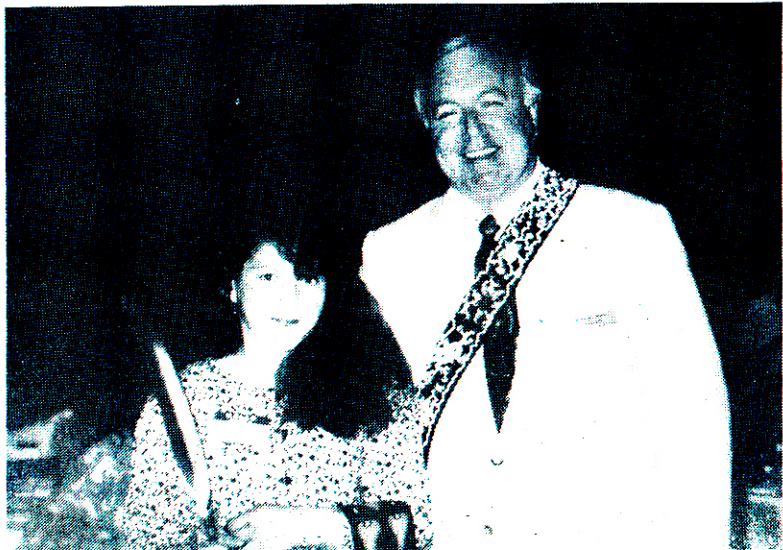
June 6, 1992



Agnes Bass Hernyack, 81, was the wisest member present.



Youngest member present was Nicholas Manakea Kulani, 4 months, above left with his mother, Philonise Kulani of Port Orchard. At right at Philonise's twin, Marci Hauer, with her 6 month old son Jameson August Hauer.



Chairman John A. Barrett, above right, is pictured with Briana Arith of Renton, Washington. Below, Geraldine Allen waits for the meeting to begin.

At right is Carla Donahue of Plainfield, Connecticut, who won a prize for traveling farthest — 3,000 miles or so — to attend the council.

Below right is Carlos Hernandez, who was reunited at the regional council meeting with all three of his daughters, Robin, Vicki and Carla, for the first time in 35 years. (Seattle Regional Council photos by Vice Chairman Linda Capps.)



STATE NEWS

State 'persists in fighting losing battle,' court says

(From *The Daily Oklahoman*, June 18, 1992) — Saying it appears "the State of Oklahoma persists in fighting a battle it has already lost," the federal appeals court in Denver has affirmed limitations on the state's taxing power on Indian lands.

The state government may not impose income taxes on members of the Sac and Fox Nation who are employed by the tribe, nor may it tax motor vehicles when the vehicles are licensed by the nation to tribal members, the appeals court ruled Tuesday.

The state, may, however, tax the income of non-tribal members employed by that Indian nation and may tax tribally tagged vehicles of non-tribal members, the 10th Circuit Court of Appeals ruled.

An attorney representing the Sac and Fox Nation said it appears the ruling will affect the state tax authority involving most or all Indian tribes in Oklahoma.

"I suspect both sides will try to take it to the Supreme Court," attorney G. William Rice of Cushing said.

The ruling by a three-judge panel of the appeals court upheld a decision by U.S. District Judge Wayne Alley in Oklahoma City. Last year, each side appealed Alley's decision.

The Oklahoma Tax Commission appealed the part of his decision that restricted state taxing authority over tribal members. The Sac and Fox Nation appealed the part of Alley's ruling granting the state taxing authority over non-members involved in business transactions with tribal members.

Representatives of the tax commission, contacted Wednesday, refused to comment, saying commission attorneys had not read the appeals court's ruling.

The Sac and Fox Nation sued the tax commission in 1990, seeking an injunction to prevent the commission from enforcing state tax laws against people living or working within Sac and Fox territorial jurisdiction. The tribe asserted sovereign immunity from state taxation.

The 10th Circuit upheld Alley's ruling that the state government:

- May not collect income tax from Sac and Fox Indians on income derived from tribal employment on tribal lands.

- May not, as a prerequisite to issuing a state motor vehicle title, require payment of an excise tax and license tag fee for years a vehicle was tagged properly by the tribe. When non-tribal members bought cars from tribal members who had legally registered the cars through the tribe, the state had required the

buyers to pay back taxes for the period during which the cars had been registered to the tribe.

- May collect income tax from non-tribal members on income derived from tribal employment on trust lands.

The appellate judges noted that the U.S. Supreme Court last year "made it clear that established principles of tribal immunity extend to trust lands as well as reservations." That ruling was made in a case of the Oklahoma Tax Commission against the Citizen Band Potawatomi Indian Tribe.

In appealing Alley's ruling in the Sac and Fox case involving trust lands, as contrasted with a reservation, the tax commission alleged the judge erred in failing to determine the status of the Sac and Fox Reservation, according to Tuesday's ruling.

"In light of the Supreme Court's ruling in (the Potawatomi case), we fail to see the relevancy of this issue," the appellate judges said. "It appears as though the state of Oklahoma persists in fighting a battle it has already lost."

The attempt of state tax officials "to circumvent this rule (about trust land) by shifting the focus and by emphasizing the physical dissimilarity between the large Indian reservations involved in prior cases and the randomly scattered trust lands of the Sac and Fox amounts to an exercise in futility," the appellate judges said.

Under a 1973 Supreme Court decision, direct state taxation of tribal property or income of tribal members earned solely on a reservation is presumed to be pre-empted unless Congress expressly authorizes such taxation, the appeals court said.

Oklahoma tax officials did not claim they had congressional authority to impose the taxes they had sought to impose, the appeals court said.

"Tribal compensation of Sac and Fox member-employees falls totally within the sphere of activity reserved to the federal government and to the Sac and Fox Tribe itself," the court said.

On the other hand, the Supreme Court has allowed states to "non-discriminatorily tax non-member activities on a reservation so long as such taxation does not conflict with relevant statutes or treaties or impermissibly interfere with a tribe's ability to govern itself."

They rejected the tribe's arguments that a treaty and the Indian Commerce Clause grant the tribe exclusive tax authority. The court concluded the tax commission may tax the income of tribal employees who are non-

tribal members.

Regarding motor vehicle fees, the court said, the Supreme Court has ruled that "a state may not require a tribal member residing on tribal lands to pay state motor vehicle taxes, whether in the nature of property or excise taxes."

Non-tribal members who work on tribal land and park their vehicles there are not exempt from state taxes because the vehicles do not constitute tribal property, the appeals court said.

Much of state can now play bingo on TV

(AP story from *The Shawnee News-Star*, June 25, 1992) — Residents of a large part of Oklahoma will be able to play highstakes Indian bingo on Sunday from the comfort of their home.

It's the latest development in the bingo industry and it depends largely on 1-800-or 1-900 telephone numbers to make it work. That's the easy way for potential players to get their bingo cards.

With cards in hand, players can tune in to television stations in Oklahoma City, Lawton or Tulsa to play along and hope to hit the big money.

The players won't even have to watch, if they don't want to. The winning cards will be published in some newspapers and winners will have 30 days to claim their prizes.

Advertisements in some newspapers say the games are a production of Pawnee tribal bingo. Bill DeHaas, who works for Bingo McLaughlin, the company that is managing the games, said it's a joint venture between the Pawnees and the Otoe-Missouria tribe.

DeHaas said the concept has been under development for more than five years and had a trial run in Tulsa. "It met with great consumer success," DeHaas

said.

Along the way, he said, the proposal has been studied by lawyers from everyone involved.

"It is definitely Class II gaming, and it is definitely bingo," DeHaas said. "The tribes enjoy the same status in the media as the states. You can tune in WGN-TV and watch the Illinois Lottery drawing. Now you can tune in and watch our Indian bingo from Pawnee, Oklahoma."

He said even the question about the legality of people playing Indian bingo when they are at home, not in Indian Country, has been answered.

"The only gaming taking place is at the Pawnee bingo hall," DeHaas said. "No one at home or no one selling a bingo card at an outlet is engaged in any gaming activity."

He said the home players "are not playing the game simultaneously. The game has already been played. What you see on TV is a tape of the game."

"Essentially, you're just playing along."

A computer at Pawnee bingo "is familiar with several hundred thousand" bingo cards, each with its individual serial number, DeHaas said. He said that when a person buys a facsimile card, either by telephone or at Western Union outlets or Indian smoke shops, "You activate that card in the computer," which then is part of the play.

"Essentially, the computer is playing all the cards."

The games will be shown on Channel 25 in Oklahoma City, Channel 8 in Tulsa and Channel 7 in Lawton, starting Sunday, DeHaas said.

Winners will not be announced on the shows but must identify themselves, DeHaas said. He said they have 30 days to claim their prize.

"We are going to publish the winning cards in newspapers," DeHaas said. "That way, you have an opportunity to learn you are a winner if you stepped out for a cup of coffee or something while the show was on."

Levier elected to position on heritage board

The Oklahoma Institute of Indian Heritage held the annual meeting on June 4, 1992 and elected a new leader. Lawrence Murray, chairman of the Iowa Tribe and a founding member of the Institute, was name chairman of the board for the four (4) year old organization.

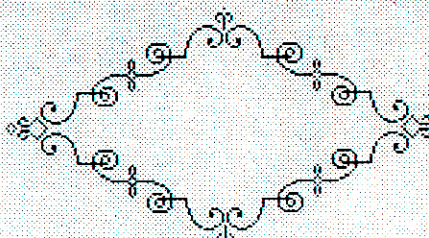
Other members of the executive committee include: Jeff Muskrat, Cherokee Tribe, vice chairman; Carol Nuttle, Pawnee Tribe, secretary; Francis Levier, Citizen Band Potawatomi Tribe, treasurer; and at large members, Sue Folsom, Choctaw Nation, Don Patterson and Juanita Learned.

The Institute recently signed a ninety-nine year lease with the Oklahoma City Riverfront Redevelopment Authority to build an Indian Cultural Center at I-35 and I-40.

The thirty (30) tribal consortium was formed to develop an Indian Tourism Industry in Oklahoma and to build an Indian Cultural Center in Oklahoma City.

The HowNikan welcomes contributions from its readers, especially letters to the editor and news of achievements of tribal members. Please mail your submission to Mary Farrell at tribal headquarters. Deadline is the 10th of the month.

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NATIONAL NEWS

Senate panel hears stories of hardships

Native Americans from around the country, all of them poor and some of them speaking through interpreters, told a Senate panel of the hardships imposed by a federal law that reduces their social security payments when trust income is received.

Federal law says monthly Supplemental Security Income payments must be reduced for every dollar of trust income the individual receives.

The problem for poor Indians, many of them elderly, is that the sporadic income they receive from land the government holds in trust is taken out of their monthly SSI payments.

Some individuals end up with neither trust income nor welfare checks some months because the trust payments are so irregular, according to Sen. Tom Daschle, D-S.D.

Daschle has proposed legislation (S.974) that would exempt from the SSI formula at least the first \$4,000 of trust income received by American Indians.

A companion bill (H.R. 2737) was introduced in the House of June 25 by Rep. James McDermott.

Nationwide, Indian trust payments average \$240 a year. Some Indians may get less than \$10 a year.

A bureau of Indian Affairs official in South Dakota, where the payments average less than \$200 a year, wrote the committee that bookkeeping costs to reduce the SSI payment can sometimes exceed the amount of money saved.

The Bush Administration is opposed to Daschle's bill saying it would be unfair to make an exception to the law for Indians.

Sen. Daniel Inouye, D-Hawaii, said the law already exempts trust income paid to tribes and it would be consistent to exempt the trust income paid to individual Indians as well.

The issue of committee jurisdiction may complicate the legislation.

The Senate bill was referred to the Senate Select Committee on Indian Affairs, and the House bill was referred jointly to the Interior Committee and the Ways and Means Committee.

Because the legislation will affect the SSI program, the Senate Finance Committee also has an interest in the bill.

Tribes or individuals submitting testimony or letters regarding this bill should send copies to the Senate Finance Committee, the House Interior Committee, the House Ways and Means Committee, Assistant Secretary

for Indian Affairs Eddie Brown, and to McDermott.

Indian fetal alcohol syndrome high, study shows

ALBUQUERQUE, N.M. (NANS) — Researchers for the University of New Mexico say that Fetal Alcohol Syndrome for American Indians about double the national rate.

Fetal Alcohol Syndrome is the most common cause of mental retardation in the U.S. The syndrome occurs when a mother consumes alcohol while pregnant, passing along alcohol to the baby through the blood stream. The syndrome causes physical defects as well as emotional and behavioral problems.

The UNM Study shows the national average of 2.2 children per thousand being born FAS. American Indian infants 4.7 FAS births per thousand. Researchers say the numbers are probably low because not all FAS babies are reported as such.

Tribe supports use of name by university

(From The Lakota Times, Feb. 19, 1992) MIAMI, OKLA. — The Miami Tribe is sitting calmly in the eye of controversy enveloping athletic mascots considered racist by other American Indians.

The tribe stands in full support of Ohio's Miami University "Redskin" team name. A liaison between the tribe and university designed a costume for the team's mascot, "Chief Miami," and taught him to dance.

Fred Veilleux, an Ojibwe and one of the founders of the National Coalition of Concerned Parents Against Racism in sports, said no matter how the Miami University and the Miami Tribe justify the Chief Miami Redskin team mascot, the term redskin is racist and the coalition will address the issue as part of its campaign against racist sports mascots.

He said the coalition hopes to educate educators across the country that it is wrong to use a culture and a race for fun and games.

Tribal members said there are more important issues to protest — lack of education, poor health care, and unemployment. Better to exert effort in those directions than on trivial matters such as racist team mascots, said a tribal member.

Miami University is located in Oxford, Ohio, in an area called the Miami Valley and an ancestral home of the Miami tribe, before it was relocated to Oklahoma. The university was

founded in 1809, named after the Miami tribe and its team has been the Miami Redskins since 1930.

Chief Miami, the University's Indian mascot, entertains fans and alumni during athletic events. He wears authentic regalia, designed and approved by chiefs of the Miami Tribe of Oklahoma. He dances to a college drum at half-time or after a touchdown.

In the early '70s, university officials approached Chief Forrest Olds, and asked if the tribe would give permission and work with them. They explained that, to them, Chief Miami is a revival of tradition in Miami spirit and assured the Indians they have every intent to preserve the dignity of the tribe.

After considering a 1972 proposal, the Miami tribe passed a resolution 88-12 affirming support for Miami University to use the name "Miami Redskins" for its athletic teams.

BIA must clear waste disposal on Indian lands

Recently, a number of Indian property owners have been offered business ventures involving composting or waste disposal operations. The proposals vary in detail: some propose bringing in only mixed wastes from out-of-state, others involve spreading municipal sewage sludge directly on fields without processing, and still others propose bringing in industrial solvents for disposal or biomedical waste for incineration or storage. All involve the importation of waste by rail, truck or barge, from large, industrial cities such as New York and Chicago.

Generally the companies tell the Indian landowners that "management agreements for farming operations" do not require the approval of The Bureau of Indian Affairs. This statement is incorrect. Any agreement which affects Indian trust lands or lands restricted against alienation must receive BIA approval to be valid. This requirement is true for tribally owned lands as well as lands owned individually.

Prior to approval of a waste management agreement, the operator must obtain all applicable Environmental Protection Agency (EPA) permits and meet or exceed the environmental standards established by the EPA and any affected tribes. Waste management companies must also demonstrate financial ability to cover environmental clean-up and restoration costs. The amount of such financial assurance will be established by The BIA on a case by case basis.

While The proposals may appear lucrative, landowners

should be aware that personal liability can result from waste disposal or recycling operations which are not environmentally sound. The companies often tell landowners that they will protect them against environmental damages. Although this is an important provision to keep in any agreement which the landowner may sign, it will not be sufficient to protect the landowner from liability.

Environmental laws that provide for clean-up of waste sites allow assessment of costs to The owner of The site, the operator of the disposal or recycling facility, and The generator of the waste. If an operating company goes out of business, such as in a bankruptcy, the landowner could be required to pay the entire bill for The clean-up.

Oklahomans are not The only ones being approached for the use of their land for waste disposal. It was reported in *Newsweek* that in the last few years more than 100 tribes had considered using portions of their properties for landfills. The Rosebud Sioux Tribe in South Dakota began construction on a solid-waste landfill last year; Indians on the Cabazon reservation near Palm Springs, California, are testing "an environmentally safe incinerator" and Indians near San Diego are pursuing three similar projects including one for hazardous waste disposal.

For more information on waste disposal or recycling operations, contact the Bureau of Indian Affairs, Anadarko Area Office, Area Environmental Coordinator, P.O. Box 368, Anadarko, OK 73005, or phone (405) 247-6673, extension 249.

Tribes are part of formation of Treasures group

Representatives from more than 60 Indian tribes, Alaska Native groups, and Native Hawaiian organizations gathered together to form a new national organization, Keepers of the Treasures — Cultural Council of American Indians, Alaska Natives and Native Hawaiians at San Ildefonso Pueblo, New Mexico, November 13-16, 1991. Secretary of the Interior Manuel Lujan, Jr., representatives from the National Park Service and other Federal agencies witnessed the historic event.

By the end of the first membership meeting, the organization had a new 15-member board of directors elected by 150 voting members. Another 30 associate members joined to support the

organization as non-voting members. This added up to almost two thousand dollars in membership dues, which were delivered by acting chairman Cecil F. Antone of the Gila River Indian Community to acting treasurer Alan Downer, Historic Preservation Officer and representative of the Navajo Nation.

The Keepers organization has formed in less than a year's time thanks to the hard work of its ten-member acting board of directors. In addition to Mr. Antone and Mr. Downer, officers of the first board of directors were David Cole, Chickasaw Nation of Oklahoma, who served as acting vice-chairman and Bonnie C.W. Wadsworth, Shoshone-Bannock tribe and acting secretary and public relations specialist.

The board was formed following a resolution by tribal representatives who attended a tribal cultural heritage conference held at the Osage Reservation in northeastern Oklahoma in December 1990. An initial working group was led by Michael Pratt of the Osage Nation, Mary Proctor of the Cherokee Nation, and Cecil Antone.

A series of meetings held by the board in Washington, DC in January 1991, Phoenix, Arizona in May 1991, Albuquerque, New Mexico and Santa Fe, New Mexico in November 1991 led to the organization's Articles of Incorporation and draft by-laws.

The by-laws were presented to the membership at San Ildefonso, and were approved, with revisions, by the Keepers membership on November 15, 1991. The new 15-member board includes representatives from each of the geographic areas administered by the Bureau of Indian Affairs, with the Eastern U.S. divided into the Northeast and Southeast, and Hawaii and the District of Columbia.

As one of its first official acts, the organization passed resolutions supporting:

1. proposed amendments to the American Indian Religious Freedom Act as found in the discussion draft circulated by the Select Committee on Indian Affairs;
2. development of a position paper on long-term Indian policy in cooperation with the National Indian Policy Center;
3. implementation of the Native American Graves Protection and Repatriation Act;
4. development of a model tribal code for the protection of places of cultural and religious significance; and,
5. the San Carlos Apache tribe and the Apache Survival Coalition in their opposition to the construction of the telescope on Mt. Graham in Arizona.

HOW·NI·KAN

PEOPLE OF THE FIRE

The HowNiKan is published by the Citizen Band Potawatomi Tribe with offices at 1901 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

The HowNiKan is mailed free to enrolled tribal members. Subscriptions to non-members are available for \$10 annually in the United States and \$12 for foreign countries.

The HowNiKan is a member of the Native American Press Association. Reprint permission is granted with publication credit to the HowNiKan and the Citizen Band Potawatomi Tribe.

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Colorful Showcase dancers wow record-breaking crowd

(From *The Shawnee News-Star*, June 28, 1992) — The smell of burning cedar, the vibrant hues displayed in beads, feathers and cloth, the rhythmic beat of drums and the clanging of bells lent themselves to spiritual, traditional expression Thursday night on the outskirts of Shawnee.

Taking their place in the center of the "Sacred Circle," Indians representing several tribes from across the country shared their customs at the opening day of the 19th Annual Citizen Band Potawatomi Pow Wow at the Potawatomi Tribal Grounds in Shawnee.

"We're bringing these people together ... trying to share a little bit of culture ... (and) share the feeling that emits from the sacred circle," said Orval Kirk, pow wow director.

Thursday's performances were part of a Native American Showcase designed to impart knowledge of the different tribes' rituals, Kirk said.

Women, men and children of all ages and races filled the stands and reclined in lawn chairs around the circle, which represents the cycle of life.

Quenching their thirsts and satiating their appetites with drinks and food from the many booths on the ground's south side, spectators listened to an introduction by Kirk before the haunting, melodic echoes of Doc Tate Nevaquaya's flutes filled the area.

Nevaquaya, a well-known Lawton artist and flutist named Indian of the Year by the Comanches and who played flute last year at Carnegie Hall, played several selections on his cedar six-hole flutes crafted by him and his sons.

Standing in the circle's center and fully costumed, Nevaquaya described the selections as older music at great variance from the modern-day flute music and said the 3,000-year-old instrument has had a great part in Indian religions and tribal entertainment and enjoyment.

After playing "Flight of the Spirit" and "The Zuni Sunrise Song," the flutist imitated an eagle with "I Saw An Eagle Fly."

The Fort Sill Apache Fire Dancers followed Nevaquaya's performance.

Four of the dancers wore black masks under three-pronged headdresses. Red cloths were tied around their necks and waists and their upper bodies were painted in black and white designs. Yellow knee-length moccasins and fringed, beaded skirts with bells completed the costume.

In contrast, two more dancers wore plain garb. Five females entered the circle along with two drummers to complete the presentation, made around a lighted fire.

The Zuni Rainbow dancers of Zuni, N.M., performed four dances, including the buffalo, butterfly and eagle dances, representative of their respect for wildlife.

The dances are not documented on paper; rather they have been passed down by word and instruction, said the trio's Pueblo mentor, outfitted in jewelry with turquoise the size of an out-spread hand.

The Zunis, dancing in unison, value clothing ornamented with turquoise, shells and coral, he said.

"We imitate nature," he explained, adding that his people also place great value on talent and respect.

The Danza Xitlalli Aztec Dancers from San Francisco, Calif., entered the arena next, speaking in their traditional language and sharing their incenses, dances and songs.

The eight performers' brightly-feathered headdresses drew comments from the spectators. Their vital dances were enhanced by their elegant costumes, trimmed in shimmering gold cloth, while the muted rattle of bells mingled with their drummer's steady beat.

The program concluded with the Oklahoma Stomp dance featuring dancers from the Fishpond Stomp Grounds of Okemah. The dancers are known for their caller leads, line dancing, and their costume's distinctive tortoise shells encasing rattles.



The colorful costumes of the Danza Xitlalli Aztec Dancers from San Francisco, California, were favorites of the crowd at the pow wow's first showcase.